

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT CHARLOTTESVILLE, VA

FILED
OCT 29 2012

JULIA C. DUDLEY, CLERK
BY: [Signature] DEPUTY CLERK

LAURA J. SUMMERS,

Plaintiff,

v.

BANK OF AMERICA, N.A.,

Defendant.

CASE NO. 5:12CV00038

ORDER

By: B. WAUGH CRIGLER
U.S. MAGISTRATE JUDGE

Upon the findings set forth from the bench on October 29, 2012, and the undersigned concluding that, by and through its agents, servants and employees with actual or apparent authority, the defendant willfully failed to comply with the terms of the parties' settlement agreement and the orders of this court, it hereby is

O R D E R E D

As follows:

(1) Plaintiff's September 24, 2012 motion for sanctions is GRANTED as follows:

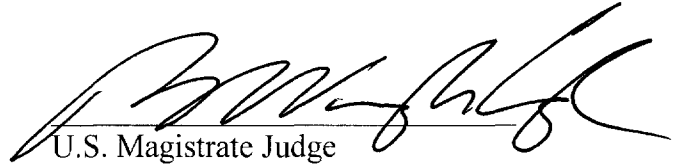
(2) Bank of America, N.A. hereby is directed to pay the sum of \$7,500.00 to plaintiff's counsel for fees incurred by counsel in both pursuing the defendant's performance of the settlement and the orders of this court. Payment forthwith, and no later than November 9, 2012, is to be in the hands of plaintiff's counsel in immediately negotiable form.

(3) Payment of sanctions under this Order will not be stayed automatically by filing an appeal. Should an appeal be filed, payment may be stayed only by filing a supersedeas bond in the amount of \$15,000.

(4) Upon receipt of payment, plaintiff's counsel forthwith is to file the Order dismissing the case from the court's docket as settled.

The Clerk of the Court is directed to transmit a copy of this Order to all counsel of record.

ENTERED:



U.S. Magistrate Judge

10/29/12
Date: